

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.1155 of 2016

ORDER:

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This petition is filed under Section 482 Cr.P.C. to quash the proceedings against the petitioners/A1 to A5 and A7 to A10 in Crime No.688 of 2015 on the file of Station House Officer, Women Police Station, D.D., Hyderabad registered for the offences under Sections 494 and 506 IPC.

2. Heard the learned counsel for the petitioners and the learned Public Prosecutor representing the State.

3. The petitioners are A1 to A5 and A7 to A10 and second respondent is *de facto* complainant in Crime No.688 of 2015. A perusal of the record reveals that the marriage of the second respondent was performed with petitioner No.1/A1 on 17.2.2002 at Korutla, Karimnagar District, as per Hindu rites and caste customs. As per the allegations made in the complaint, petitioner No.1/A1 married the petitioner No.2/A2 with the help and assistance of petitioner Nos.3 to 9, during the subsistence of valid marriage with second respondent. It is further alleged that the petitioners threatened the second respondent with dire consequences. Whether the petitioners have committed the alleged offence or not will come to light during the course of investigation only.

4. It is a settled principle of law that the Court has to take into consideration the allegations made in the complaint while exercising the inherent power under Section 482 Cr.P.C., in order to quash the proceedings. The allegations made in the complaint are *prima facie* sufficient to investigate into the matter.

5. Having regard to the facts and circumstances of the case and also the principle enunciated in **R.P.Kapoor v. State of Punjab**^[1], State

of Haryana v. Bhajan Lal^[2], V.Y. Jose V State of Gurajat^[3] and Teeja Devi v. State of Rajasthan^[4], I am of the considered view that this is not a fit case to quash the criminal proceedings at the threshold.

6. The learned counsel for the petitioners submitted that the concerned Station House Officer may be directed not to arrest the petitioners. Having regard to the facts and circumstances of the case, the Station House Officer, Women Police Station, D.D., Hyderabad is hereby directed not to arrest the petitioners/A1 to A5 and A7 to A10 till completion of investigation in Crime No.688 of 2015.

7. With the above direction, criminal petition is dismissed. Miscellaneous Petitions, if any, pending in this Criminal Petition shall stand closed.

T.SUNIL CHOWDARY, J

February 03, 2016.

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^[1] AIR 1960 SC 866

^[2] AIR 1992 SC 604

^[3] (2009) 3 SCC 78

^[4] 2015 (1) ACR 564 (SC)